

## ELEMENTS OF THE STATUTE

PRESIDENTIAL DECREE 234/2003

Official Gazette: A 210 20030901

Title: Terms and conditions for granting permits of establishment, installation and operation of television broadcasting stations of free access.

---

### ARTICLE 15: INFORMATION ON THE APPLICATION OF THE CRITERION OF ACTUAL INVESTMENT AND COMPLETENESS OF EQUIPMENT

For the application of the criterion of actual investment and completeness of equipment, the following are to be submitted:

6. A technical and financial study on the viability and investment value of the station. This study, which must be submitted by the companies participating in a tender procedure regarding the grant of national range permits, as well as by companies participating in a tender procedure regarding the grant of regional and local range permits, which have invested an amount smaller than 880,411 euros, must include at least the following information: a) the amount of the company's equity capital, b) the amount of any loan liabilities and the percentage of such liabilities on the company's share capital, c) the loan liabilities service plan, d) the estimated cost for the employment of any kind of personnel (technical and administrative personnel, reporters, hosts and other staff of the broadcasted programs), e) an estimation of the amount of the other operating expenses, f) an estimation of the cost for the payment of royalties regarding the procurement of the broadcasted audiovisual programs, g) an estimation of the cost for the design of an own production of audiovisual programs or the assignment of such a production to an audiovisual production company (including the cinematic productions falling under article 7 of L. 1866/1989), h) an estimation of the amounts payable for all kinds of mandatory monetary charges to the Hellenic State and other public or social welfare organizations, i) an estimation of the cost, based on the official pricelists of the manufacturing companies, of the installations for the production and broadcasting of audiovisual programs, as well as of the procurement of the relevant electronic equipment, which are required as minimum conditions for the operation of the station by article 11 of No 15587/E/29.8.1997 Joint Order of the Minister of Transport & Communication and the Minister of Press & Media, as may apply each time. This equipment stated in the technical and financial study must reasonably correspond to the equipment stated in the technical study, j) an estimation of the cost of any other production and

broadcasting installation or electronic equipment installation, k) an estimation of the total advertising revenues of the TV stations of the respective geographical region (having deducted the due charges) and an estimation of the station's average percentage of participation in the allocation of such expense. For the estimation of these revenues, any revenues coming from telesales, TV sponsorships and any other financial supports permitted by law will be co-estimated, l) an estimation of the acquisition of any other revenues and m) an estimation of the results of a twelve-month financial year, n) an estimation of the number of any kind of personnel (technical and administrative personnel, reporters, hosts and other staff of the broadcasted programs) that will be employed. The estimations included in the study under this paragraph must correspond to all the years of the requested duration, as this duration is determined by the each time standing legislation.

---

#### ARTICLE 16: INFORMATION ON THE APPLICATION OF THE CRITERION OF PROGRAM COMPLETENESS

For the comparative assessment of the applications based on the criterion of program completeness stated in case d) of paragraph 6, article 2, L. 2328/1995, the applicant companies must submit:

6. A certification regarding the registration of the applicant company on the Registry of Intellectual Property Rights, kept in the Ministry of Press & Media, in implementation of paragraph 6, article 6, L. 1866/1989, as amended with paragraph 24 of L. 2328/1995, in the case of an already operating TV station. The certification must state in detail the statements of the creators or right holders or respective collective societies and protection of copyright, or the contracts regarding the on-time payment of the rights from the broadcasting of programs that are protected by the legislation on copyright, that have been filed on the register of the relevant TV station from the entry into force of L. 2644/1998 until the date of the call for the tender procedure. During the assessment, with the criterion of program completeness, of the applications filed by TV station companies of any range, operating legally at the time when the respective call for tender was announced, in order for the National Council for Radio and Television to take into account as a positive parameter the fact that such companies adhere to the provisions on the protection of copyright, the applicant companies must also submit statements of the creators or right holders or respective collective societies and protection of the intellectual property rights, or contracts with the aforementioned persons, showing that the applicant company undertook the obligation to pay on-time the respective royalties for every broadcasted program which is protected by the provisions of the law or by the provisions of the international contracts on copyright. It is not

necessary to submit statements, contracts, etc., regarding the television programs that are already mentioned in the certification of the applicant company's registration on the Registry of Copyright of paragraph 6, article 6, L. 1866/1989. Also, the applicant companies can submit statements, contracts, pre-agreements, etc., showing that they have undertaken the obligation to pay on-time the respective royalties for the audiovisual programs and shows that intend to include in their program. These items can also be taken into account during the assessment of the application by using the criterion of article 11, as planned investment.